

MINUTES OF THE REGULAR MEETING
OF THE
PLANNING AND ZONING COMMISSION

August 9, 2018
9:30 a.m.

Board of Supervisors Auditorium
301 W. Jefferson Street
Phoenix, Arizona

MEMBERS PRESENT:

Ms. Jennifer Ruby, Chairperson
Mr. Nathan Andersen, Vice Chairman
Mr. Greg Arnett
Mr. Bruce Burrows
Mr. Jimmy Lindblom
Ms. Francisca Montoya
Mr. Robert Zamora

MEMBERS ABSENT:

Mr. B.J. Copeland
Mr. Michael Cowley
Mr. Broc Hiatt

STAFF PRESENT:

Mr. Darren Gerard, Planning Deputy Director
Ms. Rachel Applegate, Senior Planner
Mr. Derek Scheerer, Planner
Ms. Rosalie Pinney, Recording Secretary

COUNTY AGENCIES:

Mr. Robert Swan, County Attorney

CONSENT:

Z2015075, S2015017, DMP2018001, Z2018019

Meeting called to order at 9:32 a.m.

Chairperson Ruby noted two consent agenda items are moving to the regular agenda, #3 - DMP2018001 and #4 - Z2018019.

CONSENT AGENDA

Zoning - Z2015075

District 2

Applicant: Lauren Proper Potter, Huellmantel and Affiliates
Location: Generally located at the SWC of Coralbell Ave. and 90th St. in the Mesa area
Request: Zone Change from Rural-43 and R1-6 to R-3 RUPD – Pueblo Mesa

Preliminary Plat - S2015017

District 2

Applicant: Lauren Proper Potter, Huellmantel and Affiliates
Location: Generally located at the SWC of Coralbell Ave. and 90th St. in the Mesa area

Request: Preliminary Plat containing 118 residential lots and 9 tracts in the R-3 RUPD zoning district – Pueblo Mesa

Mr. Gerard presented the consent agenda.

COMMISSION ACTION: Vice Chairman Andersen motioned to approve the consent agenda, Z2015075 with conditions 'a'-'d', and S2015017 with conditions 'a'-'e'. Commissioner Montoya second. Approved 7-0.

Z2015075 conditions;

- a. Development and use of the site shall comply with the Narrative Report entitled "Pueblo Mesa", consisting of 12 pages, dated stamped received July 31, 2018, except as modified by the following conditions.
- b. With the zoning approval (Z2015075), the Special Use Permit for the Mobile Home Park (cases Z70-136, Z84-23, and Z88-112) on the subject parcel is no longer valid.
- c. The following R-3 RUPD standards shall apply:
 1. Minimum Lot Area: 3,500 sq. ft.
 2. Minimum Front Yard Setback: 0'
 3. Minimum Side Yard Setback: 0'
 4. Minimum Rear Yard Setback: 0'
 5. Minimum Lot Width: 45'
 6. Maximum Lot Coverage: 70%
 7. Internal Private Streets Sight Visibility Triangle (SVT): 10' x 10'
- d. The granting of this change in use of the property has been at the request of the applicant, with the consent of the landowner. The granting of this approval allows the property to enjoy uses in excess of those permitted by the zoning existing on the date of application, subject to conditions. In the event of the failure to comply with any condition, the property shall revert to the zoning that existed on the date of application. It is, therefore, stipulated and agreed that either revocation due to the failure to comply with any conditions, does not reduce any rights that existed on the date of application to use, divide, sell or possess the property and that there would be no diminution in value of the property from the value it held on the date of application due to such revocation of the Zone Change. The Zone Change enhances the value of the property above its value as of the date the Zone Change is granted and reverting to the prior zoning results in the same value of the property as if the Zone Change had never been granted.

S2015017 conditions;

- a. The Final Plat shall be in substantial conformance with the Preliminary Plat entitled "Preliminary Plat of Pueblo Mesa" consisting of 5 full-size sheets, dated stamped received July 31, 2018, except as modified by the following conditions.

- b. Development and use of the site shall comply with the Narrative Report entitled "Pueblo Mesa", consisting of 12 pages, dated stamped received July 31, 2018, except as modified by the following conditions.
- c. The following Engineering condition shall apply:
 - 1. Drainage Waiver DRB2017002 must be approved prior to submission of the Final Plat.
 - 2. All homes within this subdivision must be above ground set manufactured homes.
 - 3. The Final Plat must identify Site Visibility Triangle easements. All new or replacement homes must be located outside of Site Visibility Triangle easements.
 - 4. There are public utility easement(s) located on this property. Certain utility companies have the right to work within public utility easements which may cause damage to or removal of any portion of homes or other improvements, and it will be the responsibility of the property owner or HOA to repair or replace the said homes or improvements if so desired as a result of said work. The issuance of entitlement(s) by Maricopa County does not constitute permission to interfere with the easement(s) in any way.
- d. Preliminary Plat approval shall expire two (2) years from the date of Commission approval. Any request for an extension of time shall be submitted prior to the expiration date and may be administratively approved in accordance with the Maricopa County Subdivision Regulations.
- e. The property owner/s and their successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with conditions.

REGULAR AGENDA

Development Master Plan - DMP2018001

District 2

Applicant:	William Lally, Tiffany & Bosco, PA
Location:	Generally bounded by Rio Verde Dr. (southern boundary), 172 nd St. (western boundary), Dixileta Dr. (northern boundary), and Tonto National Forest (eastern boundary) in the Rio Verde area
Request:	Development Master Plan (DMP) modification of conditions to increase the overall lot count and density for Trilogy at Verde River Development Master Plan - Trilogy at Verde River

Mr. Scheerer presented DMP2018001 and Z2018019, and noted the purpose of the proposed rezone is to change the multiple family zoning of two units to single-family, and to change a single-family zoning of one unit to multiple family. Although the R-3 district is a multiple family district, its purpose is to permit townhouse two-family residences and not the typical multiple family residences found elsewhere in the county in the R-3 districts. The proposed rezone will also correct the minimum yard intensity use regulations of the R-3 district to permit two-family developments. When first zoned the R-3 districts permitted townhomes and two-family developments, however necessary standards to permit residential buildings to cross common lot lines were inadvertently omitted. The request seeks to clarify and correct these omissions by permitting two-family attached residences to cross a common property line and have a minimum lot area for each residential unit that matches the original intent of the R-3 zoning for the overall development. Staff is supportive of the request and recommends commission approval subject to conditions 'a'-'s'. Condition 'e' failed to provide the correct minimum yard and intensity use regulations for a rear yard setback and maximum lot coverage as previously approved by the Board of Supervisors. Staff has received one letter of opposition and provided the letter to the Commission. The opposition is opposed to the DMP and the zone change and recommends the Commission denies the requests. Condition 'i' in the staff report is a repetitive condition and staff recommends its deletion and subsequent relabeling of the conditions. Staff recommends changes in the language to new condition 'i' - All irrigation of common areas shall be in compliance with Arizona Department of Water Resources regulations. When sufficiently available, all irrigation of common areas and golf courses shall be done entirely with a renewable supply of water, such as reclaimed water, surface water or Central Arizona Project (CAP) water.

Vice Chairman Andersen asked what the purpose of changes to condition 'i' is and what is being accomplished. Mr. Scheerer said it is the reclaimed water, originally the language is from our subdivision regulations. Previously this was proposed to the Commission and changed to another applied condition that complies with Arizona Department of Water Resource regulations. Staff carried over the original condition from the report approved by the Commission. In the last DMP amendment, this change gives the applicant more opportunity to meet these goals and to better accommodate the development schedule.

Vice Chairman Andersen said the phrase 'when sufficiently available,' doesn't really provide a required timeline for compliance. Mr. Gerard said it will be based upon sufficient flow for the number of units. They have sped up in recent years with development, but for years it was slow and that's why the stipulation was changed from originally 2005 to 2015. At the time it also appeared there will be seasonal visitors which would allow the contingent use ground water, and there wouldn't be sufficient water for reclamation and reuse. At this time there is less of a seasonal input, and there's rapid development occurring at site. They are serviced by Rio Verde Services which uses renewable water from the river.

Commissioner Lindblom said the bulk of their water comes from ground water, and as development comes around more they use more water and renewables available. He asked is the intent to get them to switch, and what things would happen in the future to make it sufficiently available. Mr. Gerard said he would have to defer to the applicant

for a thorough response about their program as it currently exists. If this amendment is not approved, there is a lesser standard in place, however they still must comply with Arizona Department of Water Resources, and our subdivision regulations are slightly stricter than the state.

Vice Chairman Andersen asked in the end if there ever is a sufficient renewable water supply that never comes to pass, does the project have sufficient water to service its needs to the residents and the open spaces. Mr. Gerard said to refer to the applicant, but regardless, they are going to have to comply with the state regulations.

Ms. Ashley Marsh with Tiffany & Bosco said this application seeks 100 more units, and they did reach out to Rio Verde Services and they are prepared to serve the 1,385 units. We would love to use reclaimed water since it is a cheaper source but it is just not available for this development. When Shea Homes took over this property they actually redid a lot of the golf course to bring 67 percent of their water consumption down. They are very aware to try and make sure their water consumption is appropriate and to be stipulated to use the reclaimed water at this time, but it just isn't something they can guarantee. Trilogy at Verde River is a really unique place, they are at 1,285 units and asking for 1,385. Trilogy creates a warm welcoming community and they've done a great job building out the social club making it a hotspot for their residents and the greater community. It serves as a hub with the restaurant and for people to gather. Trilogy wants to make sure they are representing the original intent of the DMP. They are requesting a rearranging of the community based on market demands. They would basically swap out a couple of the units in the center of the community zoned R-3 and exchange that for the one in the southwest corner, Unit 6C zoned R1-6 and make that one to R-3, and really make sure the rest of the parcels already zoned R-3 which are 4B and 5A also incorporate the revised development standards. This will be a duplex with one shared zero lot line and a five yard side yard. It's not a big condo project or towers, it's a single level luxury duplex with beautiful finishes to meet the market demands. This is a more lock and leave lifestyle for those not wanting to take care of a yard and can hang out at the pool and the club and also for the seasonal residents. With the 100 extra units they are not changing any of the land use categories or designations. The same amount of acreage is devoted to each because Shea Homes has taken those 100 units and has been thoughtful and decided to exchange the densities. One thing Shea Homes really focused on is getting in front of the community with a meeting held in January to meet with some stakeholder groups to let them know a change is coming and reached out and worked with the community to get ahead of any comments, issues or concerns. After submission Shea posted 10 signs around the property and sent letters to all the property owners and stakeholders. They also sent two follow-up letters to people inside the community who had some questions, and also participated in 14 one-on-one meetings with neighbors so they can have those individual conversations, plus invited the community to their restaurant and golf course. They did receive two letters of opposition just this week with concerns related to the construction. It is a phased project and they are building homes actively, trucks are coming in and equipment is out to build up this beautiful community. Yesterday at 4:00 p.m. there was a phone call with someone who was going to voice opposition this morning, and she believes it is also construction related. After eight months of outreach, the construction related concerns seem to be an issue. In summary, they are just exchanging some zoning within the community taking R1-6 6C parcel making it

R-3 and giving up two R-3 parcels for the R1-6 zoning. There is no change in the distribution of land use categories, they are just adding the additional units but maintaining that same apportionment. They are clarifying the R-3 RUPD development standards to make sure they can bring that duplex product in as intended. They reached out and have a strong partnership with the community and working with staff by making sure they are addressing their needs.

Commissioner Arnett asked if there is a current traffic study that's been done with the additional lots or is he overlooking it. Ms. Marsh said there is a traffic study in the packet that was performed in 2014, and there's an updated report in the packet for the 1,385 lots. The study shows to only anticipate 30 more trips in the peak hours, it's an active adult community so the target is 55 and older. People are moving out here taking advantage of retirement and amenities, so it is a very nominal impact on traffic with the additional units.

Ms. Lisa Minne said she is a resident in Trilogy and is from the Homeowner's Alliance and they have some concerns not necessarily disapproving the zoning change, but with some considerations of traffic. There's only two entrances and exits in this community and they're both located off of Rio Verde Drive. They are surrounded on two sides north and east by the Tonto National Forest and the concern is an egress issue especially in an emergency. One of the residents is a fireman who was also concerned about this issue getting out of the neighborhood if the forest was on fire. They would be limited to just one of these egresses while emergency vehicles would be using the other one. That would be roughly 2,000 people trying to get out in a quick manor through one exit. In regards to construction traffic, there is a construction road right now that is temporarily located off of Rio Verde and it is the most eastern entrance into this community. It will disappear once they start construction of Parcel 6C, which means the only way construction will flow in an out of the community would be through the east gate because they let everybody know they can't use the main gate since that leads straight to the club, the golf course and restaurant. The construction traffic will go through the east gate where most of the community in Parcels 2 will be inundated, and that is not part of what they were sold to be living on a construction road for the next seven years. There is a construction road right now that goes through Unit 6C and upwards, and most of Unit 6 is involved with that construction road, but that construction road will disappear soon. When planning this community to take in consideration the residents that live here by making this area the last place developed to disrupt us the least, and while changing the parcels and zoning in this area, perhaps leaving that construction road or a portion of it as another egress might be wise.

Ms. Marsh said to clarify the circulation was approved nearly 10 years ago for this project, and in terms of the entrance and exit points, there is actually an emergency exit between Units 3A and 7B, and there is access off of Dixileta Road in addition to the two on Rio Verde. In regards to the traffic, Shea is definitely sympathetic to the residents that have joined our community, but it is an ongoing phased construction DMP with additional units coming in. The next area to be under construction is 7B, so with respect to construction ongoing, there is a construction entrance. The general manager is working on ways to have conversations to let the residents know what's going on, and there is a meeting with

Ms. Minne with her last minute concerns set up tomorrow. Hopefully by rearranging the parcels, the construction will be limited for her and the neighbors.

Chairperson Ruby said it looks like a permanent road just west of 60, and asked if it is a secondary permanent road and not just a construction road. Ms. Marsh said correct, the construction road is east of that, and there are two permanent roads.

Commissioner Montoya asked if the entrance on Dixileta Drive is permanent. Ms. Marsh said it's not a primary entrance but it is permanent in the sense that it will be accessible, but the primary entrances are on Rio Verde Drive.

Ms. Minne said there is a gate there and it is currently padlocked. It is a dirt road that maybe an ATV could traverse it, and it is not currently an egress for a community that is trying to get out in an emergency situation. There is no entrance or egress off of 172nd at all. Ms. Marsh said the emergency gate on Dixileta does hook up to 172nd Street.

Commissioner Lindblom asked if the Forest Service or local fire or police has raised any concerns with safety on this project. Ms. Marsh said none.

Mr. Gerard said in the event of a catastrophic wildfire, this region has two means of ingress/egress and that is through Rio Verde and Fountain Hills or along Rio Verde Drive across the ridge to Pima Road, so there's only two means of exiting this side of the region. However from Rio Verde you can cut through Fort Mohave Yavapai Nation or through Fountain Hills and they are parallel routes.

Chairperson Ruby said construction phasing and construction traffic really aren't a zoning purview, and it is important to understand and to take into account but it's not specifically related to a zoning change. What the applicant is doing, with the medium density over to that corner, it helps open up the center of the community. This is largely a transfer within the community with the additional 100 units.

Commissioner Arnett said he appreciates the concerns but this project has already been approved, we're just talking about a little additional density and in a different place. They've answered his concerns with the traffic and the utilities, they did a very thorough job and it is very much in line with that simple change in lots and it stays right in line with the project.

Ms. Jan Brunson said she has two homes in this community, and with her last purchase Shea Homes had the opportunity to disclose the change in zoning and she was not informed anytime during the build. She was one of the people that met with the Shea official in January and asked questions again. Her problem is this was not disclosed to the homeowners, and the 100 extra units could have been a game changer for them to purchase there. It's not just 100 units, it is 10 percent of our community. We as residents were not really notified about this. One small sign went up west of the entrance gate and another just past the main entrance gate with no dates and no times. The community they've been actively speaking with is not the community that has already purchased homes there. The community they are worried about is Rio Verde, they opened up the complex to the neighbors at Rio Verde which has crowded our clubhouse, the gym and

the facilities. It is too small for what they are doing. This wasn't presented to the homeowners properly and we have presented our concerns about the size of the facilities and what we bought into. If we are already overcrowded at the dining room and the facility, then to build another 100 units that could possibly be used for vacation rentals, she has a problem with that.

Chairperson Ruby said staff and the applicant did demonstrate the neighborhood outreach with the letters and postings done, and she apologizes that Ms. Brunson felt she wasn't notified, but the application is complete with that notification.

Commissioner Arnett asked if her concern was with the amenities of the property. Ms. Brunson said it's the amenities, it's the traffic and it's the lack of openness during our second purchase to disclose what was happening to our community. They had the opportunity to disclose raising the numbers of this community during our second purchase in April 2017, and they did not do that. It is also the traffic, they are adding 100 more units with a potential of 200 more cars into that community.

Commissioner Arnett asked if she read the new traffic report. Ms. Brunson said no, it is the whole density thing and they had the opportunity for disclosure.

Commissioner Arnett asked staff if they followed the proper posting procedures. Mr. Gerard said there was a posting every quarter-mile along the perimeter frontage and a notice via first-class mail.

COMMISSION ACTION: Commissioner Arnett motioned to approve DMP2018001 with conditions 'a'-'i' with staff recommending to delete condition 'i', relabeling the subsequent conditions as 'i' – 'l', and modifying language of relabeled condition 'i'. Commissioner Lindblom second. Approved 7-0.

- a. Development shall comply with the Development Master Plan Amendment document entitled, "Trilogy at Verde River– Major Development Master Plan Amendment", consisting of 58 pages, dated revised May 25, 2018, and stamped received May 25, 2018, including all exhibits, maps, and appendices, except as modified by the following conditions.
- b. The Board of Supervisors, upon recommendation by the Maricopa County Planning and Zoning Commission, shall process changes to the Trilogy at Verde River Major Development Master Plan Amendment with regard to use and intensity or changes to any of the approved conditions as a revised application. Revised applications shall be in accordance with the applicable Development Master Plan Guidelines, subdivision regulations, and zoning ordinance in effect at the time of application(s) submission. The Maricopa County Planning and Development Department may approve minor changes as outlined in the Maricopa County Development Master Plan Guidelines in effect at the time of amendment. Non-compliance with the narrative report, maps, and exhibits, or the conditions of approval will be treated as a violation in accordance with Maricopa County Procedures.

- c. The master developer shall be responsible for the construction of all public and private on-site roads within the Trilogy at Verde River Major Development Master Plan Amendment. Further, the homeowners association shall be responsible for the maintenance and upkeep of all private roads, public open spaces and facilities, washes, parks, roadway median landscaping, landscaping with public rights-of-way, and all pedestrian, bicycle, and multi-use paths.
- d. All conditions of approval shall remain in effect in the event of a change in the name of the Trilogy at Verde River Development Master Plan.
- e. Landscaping of all common areas and open spaces, except for identified recreational areas shall consist of indigenous and or low water use species.
- f. Common open space areas shall maintain compliance with all Arizona Department of Water Resources regulations.
- g. The Trilogy at Verde River Development Master Plan shall be developed sequentially as depicted on the phasing diagram (Figure 10) contained in the Trilogy at Verde River Major Development Master Plan Amendment narrative report. The Planning and Development Department may approve alterations to the phasing diagram and/or phasing order if all infrastructure, drainage and public safety requirements are met.
- h. The total number of residential dwelling units for the Trilogy at Verde River Ranch Development Master Plan shall not exceed 1,385 dwelling units. To help ensure compliance, the cumulative number of dwelling units completed to date, in relation to the identified limit, shall be identified on all plats.
- ~~i. Not less than 337 acres shall be reserved for Recreational Open Space (ROS) land use (Golf Course and washes).~~
- i. **All irrigation of common areas shall be in compliance with Arizona Department of Water Resources regulations. When sufficiently available, all irrigation of common areas and golf courses shall be done entirely with a renewable supply of water, such as reclaimed water, surface water or Central Arizona Project (CAP) water.**
- j. The master developer shall notify all future residents that they are not located within an incorporated city or town, and therefore will not be represented by, or be able to petition a citizen-elected municipal government. Notification shall also state that residents will not have access to municipally-managed services such as police, fire, parks, water, wastewater, libraries, and refuse collection. Such notice shall be included on all final plats, be permanently posted on the front door of all home sales offices on not less than an 8-½ by 11 inch sign, and be included in all homeowner association covenants, conditions, and restrictions (CC&Rs).

- k. Not less than 327 acres shall be reserved for Recreational Open Space (ROS) land use (Golf Course and washes).
- l. The property owner and their successors waive claim for diminution in value if the County takes action to rescind approval of this Development

Zoning - Z2018019

District 2

Applicant: William Lally, Tiffany & Bosco, PA
 Location: Generally bounded by Rio Verde Dr. (southern boundary), 172nd St. (western boundary), Dixileta Dr. (northern boundary), and Tonto National Forest (eastern boundary) in the Rio Verde area
 Request: Zone change from R-3 RUPD PAD to R1-6 RUPD PAD for Units 4A and 5B, R1-6 RUPD PAD to R-3 RUPD PAD for Unit 6C, and amend R-3 RUPD PAD standards for Units 4B, 5A and 5C for Trilogy at Verde River

COMMISSION ACTION: Commissioner Arnett motioned to approve Z2018019 with conditions 'a'-'s' with staff recommended changes to condition 'e'. Vice Chairman Andersen second. Approved 7-0.

- a. Development of the site shall comply with the Zoning Exhibit entitled "Trilogy at Verde River", consisting of 1 full-size sheet, dated revised May 25, 2018, and stamped received May 25, 2018, except as modified by the following conditions.
- b. Development of the site shall be in conformance with the Narrative Report entitled "Trilogy at Verde River Partial Rezone Narrative", consisting of 46 pages, dated revised May 25, 2018, and stamped received May 25, 2018, except as modified by the following conditions.
- c. All zoning conditions of approval shall remain in effect in the event of a change in the name of the Trilogy at Verde River master planned community.
- d. The R-3 RUPD, R1-6 RUPD and C-2 CUPD shall be subject to a Planned Area Development (PAD) Overlay Zone. Zoning district boundary lines shall be reflected on the subdivision plats or precise plan of development approvals.
- e. The following R1-6 RUPD standards shall apply:
 - 1. Height: 30' / stories
 - 2. Front Yard: 10' to livable, 20' to front facing garage
 - 3. Side Yard: 5' ~~Single Family~~
 - 4. Street-side Yard: 10'
 - 5. Rear Yard: ~~25'~~ **15'**
 - 6. Lot Area: 6,000 sq. ft.
 - 7. Lot Width: 50'

8. Lot Area per Dwelling Unit – 6,000 sq. ft.
9. Lot Coverage: ~~40%~~ **55%**
10. Parking Spaces: 2
11. Walls: 6' (h)
12. Retaining Walls: 6' maximum retaining wall exposed or 8' maximum height on 6' retaining wall with combination wall not to exceed 14'

f. The following R1-10 standards shall apply:

1. Height: 30' / 2 stories
2. Front Yard: 10' to livable, 20' to front facing garage
3. Side Yard: 7'
4. Street-side Yard: 10'
5. Rear Yard: 25'
6. Lot Area: 10,000 sq. ft.
7. Lot Width: 80'
8. Lot Area per Dwelling Unit – 10,000 sq. ft.
9. Lot Coverage: 40%
10. Parking Spaces: 2
11. Walls: 6' (h)
12. Retaining Walls: 6' maximum retaining wall exposed or 8' maximum height on 6' retaining wall with combination wall not to exceed 14'

g. The following R-3 RUPD standards shall apply:

1. Height: 30' / stories – Single Family, 40' / 3 stories Townhome
2. Front Yard: 10' to livable, 20' to front facing garage
3. Side Yard: 5' Single Family, 0' (common crossed lot line) / 5' (opposite lot line) Attached Townhome
4. Street-side Yard: 10'
5. Rear Yard: 10'
6. Lot Area: 6,000 sq. ft. – Defined as the lot area for Single Family use or the aggregate of two lots for Attached Townhome use
7. Lot Width: 50' – Single Family, 60' – Townhome
8. Lot Area per Dwelling Unit – 6,000 – Single Family, 3,000 – Attached Townhome
9. Lot Coverage: 60% - Single Family, 60% Attached Townhome
10. Parking Spaces: 2
11. Walls: 6' (h)
12. Retaining Walls: 6' maximum retaining wall exposed or 8' maximum height on 6' retaining wall with combination wall not to exceed 14'

h. The following C-2 CUPD standards shall apply:

1. Height: 40'
2. Front Yard: 10'
3. Side Yard: 10'
4. Street-side Yard: 10'

5. Rear Yard: 10'
 6. Lot Area: 6,000 sq. ft.
 7. Parking Spaces: 1:250 sq. ft.
 8. Walls: none
 9. Retaining Walls: 6' maximum retaining wall exposed or 8' maximum height on 6' retaining wall with combination wall not to exceed 14'
-
- i. All transformers, back-flow prevention devices, utility boxes and all other utility related ground mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible. All HVAC units shall be ground-mounted or screened with a continuous parapet for commercial projects.
 - j. All interior streets within the proposed development are to be constructed to minimum County standards.
 - k. Prior to issuance of any permits for development of the site, the applicant/property owner shall obtain the necessary encroachment permits from the Maricopa County Department of Transportation (MCDOT) for landscaping or other improvements in the right-of-way.
 - l. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance.
 - m. Prior zoning clearance or Final Plat approval, developer(s) and/or builder(s) shall establish emergency fire protection services, covering all real property contained within the project area during course of construction and shall obtain a 'will serve' letter substantiating coverage from the appropriate Fire District, servicing the site.
 - n. Amendments to the site plan and narrative report shall be processed as a revised application in accordance with Maricopa County Zoning Ordinance Article 304.9.
 - o. Variations to the development standards as indicated in the approved Unit Plan of Development (UPD) table may be varied by the Board of Adjustment in accordance with Article 303.2.2 of the Maricopa County Zoning Ordinance (MCZO).
 - p. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Planning and Zoning Commission to take action in accordance with Chapter 3 (Conditional Zoning).
 - q. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation, Drainage Review Division, Planning and

Development Department, or the Flood Control District of Maricopa County may be grounds for initiating a revocation of this Zone Change as set forth in the Maricopa County Zoning Ordinance.

- r. The property owner/s and their successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with conditions.
- s. Applicant shall provide a traffic statement with each preliminary plat application that evaluates and confirms the assumptions and results of the approved Traffic Impact Analysis for Trilogy at Verde River.

Chairperson Ruby adjourned the meeting at 10:18 a.m.

Prepared by Rosalie Pinney
Recording Secretary
August 9, 2018